

**BUSINESS REPORT**

**MONTANA SENATE  
62nd LEGISLATURE - REGULAR SESSION**

**SENATE FISH AND GAME COMMITTEE**

**Date:** Thursday, March 3, 2011  
**Place:** Capitol

**Time:** 3:00 PM  
**Room:** 422

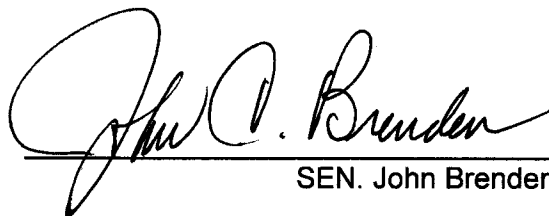
**BILLS and RESOLUTIONS HEARD:**

HB 98 - Direct proceeds from sale of state parks; deposit in state parks spec. rev. fund  
HB 471 - Revise fish, wildlife, and parks laws for management of wolves  
HJ 1 - Resolution urging federal legislation removing wolf from Endangered Species list

**EXECUTIVE ACTION TAKEN:**

HB 47 - Be concurred in as amended

**Comments:**

A handwritten signature in black ink, reading "John A. Brenden". The signature is written in a cursive style with a large, looping initial "J".

SEN. John Brenden, Chair

MONTANA STATE SENATE  
ROLL CALL  
FISH & GAME  
COMMITTEE

DATE: March 3, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair Balyeat	✓	
Senator Barrett	✓	
Chairman Brenden	✓	
Senator Facey		✓
Senator Gallus	✓	
Senator Hamlett	✓	
Senator Hinkle	✓	
Senator Jent	✓	
Senator Shockley	✓	
Senator Wittich	✓	

*10 Committee Members*



## SENATE STANDING COMMITTEE REPORT

March 3, 2011

Page 1 of 3

Mr. President:

We, your committee on **Fish and Game** recommend that **House Bill 47** (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

*John A. Brenden*  
Senator John Brenden, Chair

To be carried by Senator Joe Balyeat

**And, that such amendments read:**

1. Title, line 6.

**Strike:** "DAY"

**Insert:** "WEEKEND"

2. Page 1, line 30.

**Strike:** "the first Saturday of June"

**Insert:** "Father's Day weekend"

3. Page 2, line 2.

**Strike:** "day"

**Insert:** "weekend"

4. Page 2.

**Following:** line 2

**Insert:** "COORDINATION SECTION. **Section 2. Coordination**

**instruction.** If both Senate Bill No. 124 and [this act] are passed and approved, then [sections 1 and 2 of this act] are void and [this act] must read as follows:

**"NEW SECTION. Section 1. Free fishing weekend.** Each year on Father's Day weekend, a person may fish for any fish within this state without obtaining a fishing license pursuant to this part as long as the person does so in accordance with any other law or regulation of the department in effect on that weekend.

**Committee Vote:**

**Yes 10, No 0**

**Fiscal Note Required** \_\_\_\_

*DR*

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 87, chapter 2, part 3, and the provisions of Title 87, chapter 2, part 3, apply to [section 1].

**NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval."

**Insert: "COORDINATION SECTION. Section 3. Coordination instruction.** If both Senate Bill No. 124 and [this act] are passed and approved, then [section 22] of Senate Bill No. 124 must read as follows:

**"NEW SECTION. Section 22. Hunting, fishing, or trapping without a license.** (1) Except as provided in [section 1 of House Bill No. 47] and subsection (2) of this section, a person may not:

(a) hunt or trap or attempt to hunt or trap any game animal, game bird, or fur-bearing animal or fish for any fish within this state or possess within this state any game animal, game bird, fur-bearing animal, game fish, or parts of those animals or birds except as provided by law or as provided by the department;

(b) hunt or trap or attempt to hunt or trap any game animal, game bird, or fur-bearing animal or fish for any fish, except at the places and during the periods and in the manner established by law or as prescribed by the department;

(c) hunt or trap or attempt to hunt or trap any game animal, game bird, or fur-bearing animal or fish for any fish within this state or possess, sell, purchase, ship, or reship any imported or other fur-bearing animal or parts of fur-bearing animals without first having obtained a proper and valid license or permit from the department to do so;

(d) trap or attempt to trap predatory animals or nongame wildlife without a license, as prescribed in 87-2-603, if that person is not a resident; or

(e) hunt migratory game birds without first having obtained a valid migratory game bird license from the department if the person is 16 years of age or older.

(2) The provisions of this section do not require a person who accompanies a licensed disabled hunter, as authorized under 87-2-803(4), to be licensed in order to kill or attempt to kill a game animal that has been wounded by a disabled hunter when the disabled hunter is unable to pursue and kill the wounded game animal. However, the person must meet the qualifications for a license in the person's state of residence.

(3) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes

for a period of time set by the court.

(4) A person convicted of hunting without a license may be subject to the additional penalties provided in [sections 63 and 64].

(5) A violation of this section may also result in an order to pay restitution pursuant to [sections 67 through 69].""

**Renumber:** subsequent sections

- END -

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Tom Facey, request to be excused from the  
**Fish and Game COMMITTEE**  
due to my other commitment. I desire to leave my proxy vote with:

*Sen Teat*

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT      AYE      NO

HB 004701. ajk	✓	
HB 004751. ahs	✓	
SB 47 as amd	✓	

BILL/AMENDMENT      AYE      NO


Sen.

*Tom Facey*  
(Signature)

Date

*3/3/2011*

**AUTHORIZED  
SENATE COMMITTEE PROXY**

I, Senator Debby Barrett, request to be excused from the

**Fish and Game COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Joe Balyeat

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB004701.rik	✓	
HB004751.ahs	✓	
HB47 as am	✓	

BILL/AMENDMENT	AYE	NO

Sen. Debby Barrett  
(Signature)

Date 3/3/11

**AUTHORIZED  
SENATE COMMITTEE PROXY**

I, Senator Jim Shockley, request to be excused from the

**Fish and Game COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Joe Balyeat

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB004701.ajk	✓	
HB004751.ahs	✓	
HB 47 as am	✓	

BILL/AMENDMENT	AYE	NO

Sen. \_\_\_\_\_

(Signature)

Date \_\_\_\_\_

3/3/11



**MONTANA STATE SENATE**

**Visitors Register**  
**SENATE FISH AND GAME COMMITTEE**

**Thursday, March 3, 2011**

## **HB 471 - Generally revise fish, wildlife, and parks laws**

**Sponsor: Representative Dan Kennedy**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

**MONTANA STATE SENATE**

## SENATE FISH AND GAME COMMITTEE

**Thursday, March 3, 2011**

**HJ 1 - Resolution urging federal legislation removing wolf from Endangered Species list**

**Sponsor: Representative Mike Milburn**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

# MONTANA STATE SENATE

## SENATE FISH AND GAME COMMITTEE

**HB 98 - Direct proceeds from sale of state parks; deposit in state parks spec. rev. fund**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**